

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By Chairman Scott Mendenhall, on April 2, 2007 at 9:00 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Scott Mendenhall, Chairman (R)
Rep. Jim Keane, Vice Chairman (D)
Rep. Mike Milburn, Vice Chairman (R)
Rep. Elsie Arntzen (R)
Rep. Shannon Augare (D)
Rep. Scott Boggio (R)
Rep. Ernie Dutton (R)
Rep. Kevin T. Furey (D)
Rep. Ralph Heinert (R)
Rep. Llew Jones (R)
Rep. Harry Klock (R)
Rep. Michele Reinhart (D)
Rep. Wayne Stahl (R)
Rep. Bill Thomas (D)
Rep. Kendall Van Dyk (D)

Members Excused: Rep. Jonathan Windy Boy (D)

Members Absent: None

Staff Present: Bart Campbell, Legislative Branch
Nancy Kraft, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted:	SB 127, 3/26/2007; SB 157, 3/27/2007; SB 296, 3/27/2007; SB 419, 03/30/2007; SB 524, 3/26/2007
Executive Action:	SB 524; SB 127; SB 296; SB 157; SB 276; SJR 15: SB 491

HEARING ON SB 127

Opening Statement by Sponsor:

00:04:34 Sen. David Wanzenried (D), SD 49, opened the hearing on SB 127, Revise out-of-state winery access to Montana retailers.

Proponents' Testimony:

00:07:48 Shauna Helfert, Department of Revenue

00:13:59 Kristi Blazer, Montana Beer and Wine Distributors' Association

EXHIBIT(buh70a01)

00:17:01 Doug Wagner, Clear Weather Wines, Missoula, Montana

00:17:41 Mona Jamison, Wine Institute

EXHIBIT(buh70a02)

00:20:09 Ken Schultz, Trapper Creek Winery, Hamilton, Montana

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:21:50 Rep. Thomas

00:22:30 Ms. Blazer

Closing by Sponsor:

00:23:57 Sen. Wanzenried

HEARING ON SB 524

Opening Statement by Sponsor:

00:25:07 Sen. David Wanzenried (D), SD 49, opened the hearing on SB 524, Revise brewery regulation and beer distribution laws.

Proponents' Testimony:

00:25:54 Shawna Helfert, Department of Revenue

00:27:50 Kristi Blazer, Montana Beer and Wine Distributors' Association

EXHIBIT(buh70a03)

00:28:58 Brian Smith, Montana State Brewer's Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:30:04 Sen. Wanzenried

HEARING ON SB 296

Opening Statement by Sponsor:

00:31:50 Sen. Dan Weinberg (D), SD 2, opened the hearing on SB 296, Revise beer and wine licensing laws.

Proponents' Testimony:

00:36:01 Mark Staples, Montana Tavern Association

Opponents' Testimony: None

Informational Testimony:

00:42:07 Jason Wood, Liquor Control Division, Department of Revenue

Questions from Committee Members and Responses:

00:42:29 Rep. Dutton

00:43:01 Mr. Staples

Closing by Sponsor:

00:43:40 Sen. Weinberg

EXECUTIVE ACTION ON SB 524

00:46:25 **Motion:** Rep. Heinert moved that SB 524 **BE CONCURRED IN.**

Discussion:

00:46:40 Rep. Arntzen

00:47:11 Rep. Mendenhall

00:47:46 Rep. Heinert

00:48:16 Rep. Arntzen

00:49:10 **Vote:** Motion carried unanimously by voice vote. Reps. Keane, Stahl, Jones, and Windy Boy voted by proxy. Rep. Mendenhall will carry the bill.

EXECUTIVE ACTION ON SB 127

00:50:04 **Motion/Vote:** Rep. Milburn moved that SB 127 **BE CONCURRED IN**. Motion carried unanimously by voice vote. Reps. Keane, Stahl, Jones, and Windy Boy voted by proxy. Rep. Mendenhall will carry the bill.

EXECUTIVE ACTION ON SB 296

00:50:58 **Motion/Vote:** Rep. Milburn moved that SB 296 **BE CONCURRED IN**. Motion carried 15-1 by voice vote with Rep. Windy Boy voting no. Reps. Keane, Stahl, Jones, and Windy Boy voted by proxy. Rep. Dutton will carry the bill.

HEARING ON SB 157

Opening Statement by Sponsor:

00:52:16 Sen. Don Ryan (D), SD 10, opened the hearing on SB 157, Revise insurance and security laws.

Proponents' Testimony:

00:53:27 Erin McGowan Fincham, State Auditor's Office

EXHIBIT (buh70a04)

00:57:09 Frank Cote, America's Health Insurance Plans and Blue Cross Blue Shield

00:57:28 Jacqueline Lenmark, American Insurance Association and The American Council of Life Insurers; and for Dwight Easton, Farmers Insurance Group; Larry Kibbee, Property Casualty Insurance Association of America; and Greg VanHorssen, State Farm Insurance

00:58:06 Todd Lovshin, Allegiance Benefit Plan Management and Allegiance Life and Health Insurance Company

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:58:44 Sen. Ryan

EXECUTIVE ACTION ON SB 157

00:59:46 **Motion:** Rep. Milburn moved that SB 157 **BE CONCURRED IN.**

Discussion:

00:59:56 Rep. Dutton
01:00:08 Rep. Augare
01:00:15 Rep. Milburn

01:00:40 **Vote:** Motion carried unanimously by voice vote. Reps. Keane, Stahl, Jones, and Windy Boy voted by proxy. Rep. Augare will carry the bill.

01:17:16 Break

HEARING ON SB 419

Opening Statement by Sponsor:

01:01:23 Sen. Greg Lind (D), SD 50, opened the hearing on SB 419, Allow children to remain covered by parent's health insurance to age 26.

Proponents' Testimony:

01:20:52 Carol Roy, State Auditor's Office
01:21:21 Frank Cote, Blue Cross Blue Shield (BCBS)
01:21:34 Don Judge, Teamsters' Local 190
01:23:06 Bob Worthington, Montana Municipal Insurance Authority
01:23:30 Tonya Ask, BCBS
01:24:11 Scott Martin, Students of Montana State University (MSU)-Billings, MSU-Great Falls, and MSU-Northern; and for the University of Montana and MSU-Bozeman
01:25:33 Mike Foster, Sisters of Charity Hospitals
01:26:32 Pat Melby, Montana Medical Association
01:27:30 Joy Bruck, Volunteer Advocate for AARP
01:28:24 Mike Hanshaw
01:30:18 Mike Foster for Jani McCall, Billings Clinic

Opponents' Testimony: None

Informational Testimony:

01:30:56 Connie Welsh, Department of Administration

Questions from Committee Members and Responses:

01:31:29 Rep. Reinhart
 01:33:21 Sen. Lind
 01:34:04 Rep. Milburn
 01:34:58 Ms. Welsh
 01:36:36 Rep. Furey
 01:37:01 Sen. Lind
 01:38:00 Rep. Mendenhall
 01:38:38 Ms. Ask
 01:41:27 Rep. Dutton
 01:42:05 Sen. Lind
 01:44:51 Rep. Reinhart
 01:45:07 Ms. Ask
 01:45:51 Rep. Mendenhall

Closing by Sponsor:

01:47:12 Sen. Lind

EXECUTIVE ACTION ON SB 276

01:50:13 **Motion:** Rep. Milburn moved that SB 276 **BE CONCURRED IN.**
 01:50:57 **Motion:** Rep. Milburn moved that SB 276 **BE AMENDED.**
[**EXHIBIT \(buh70a05\)**](#)

Discussion:

01:52:14 Jacqueline Lenmark, American Council of Life Insurers
 01:52:51 Bart Campbell
 01:54:02 Rep. Arntzen
 01:54:16 Rep. Reinhart

01:54:58 **Motion/Vote:** Rep. Reinhart moved that the **AMENDMENT BE SEGREGATED.** Motion carried unanimously by voice vote. Reps. Windy Boy, Keane, and Jones voted by proxy.
 01:56:10 **Vote:** Motion on Item 1 of the amendment carried unanimously by voice vote. Reps. Windy Boy, Keane, and Jones voted by proxy.
 01:56:30 **Motion:** Rep. Reinhart moved that SB 276 **BE AMENDED.**
[**EXHIBIT \(buh70a06\)**](#)

Discussion:

01:58:11 Mr. Campbell
 01:58:37 Rep. Reinhart
 01:58:52 Mr. Campbell

01:59:23 Rep. Dutton
02:00:10 Rep. Reinhart
02:00:13 Mary Arnold, State Auditor's Office
02:01:07 Rep. Dutton
02:01:28 Ms. Arnold
02:01:33 Steve Yeakel
02:02:25 Rep. Mendenhall
02:03:18 Ms. Arnold
02:03:37 Rep. Dutton
02:03:54 Mr. Campbell
02:04:32 Rep. Dutton
02:04:50 Mr. Campbell
02:05:45 Rep. Mendenhall
02:06:20 Rep. Dutton
02:06:28 Rep. Arntzen
02:06:45 Ms. Arnold
02:07:10 Rep. Reinhart
02:07:50 Rep. Mendenhall
02:08:00 Rep. Reinhart
02:08:31 Rep. Mendenhall
02:08:45 Ms. Lenmark

02:10:47 **Motion:** Rep. Reinhart moved **A CONCEPTUAL AMENDMENT** to SB 276.

Discussion:

02:11:19 Rep. Thomas
02:11:22 Mr. Campbell

02:13:01 **Substitute Motion/Vote:** Rep. Reinhart made a substitute motion for a **SUBSTITUTE AMENDMENT TO EXHIBIT 6**. Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.

02:14:18 **Motion/Vote:** Rep. Reinhart moved that SB 276 **BE AMENDED**. Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.

EXHIBIT (buh70a07)

02:16:07 **Motion/Vote:** Rep. Reinhart moved that SB 276 **BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy. Rep. Reinhart will carry the bill.

EXECUTIVE ACTION ON SJR 15

02:17:56 **Motion:** Rep. Milburn moved that SJR 15 **BE CONCURRED IN**.

02:18:35 **Motion:** Rep. Milburn moved that SJR 15 **BE AMENDED**.
EXHIBIT (buh70a08)

Discussion:

02:18:53 Bart Campbell

02:20:12 Rep. Keane

02:20:37 **Vote:** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.

02:20:53 **Motion:** Rep. Dutton moved that SJR 15 **BE AMENDED.**

EXHIBIT (buh70a09)

Discussion:

02:22:20 Rep. Arntzen

02:22:40 Rep. Keane

02:22:59 Rep. Dutton

02:23:09 **Vote:** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.

02:23:20 **Motion:** Rep. Milburn moved that SJR 15 **BE CONCURRED IN AS AMENDED.**

Discussion:

02:23:41 Rep. Mendenhall

02:24:27 Rep. Jones

02:25:24 Rep. Keane

02:26:20 **Vote:** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy. Rep. Keane will carry the bill.

EXECUTIVE ACTION ON SB 491

02:27:11 **Motion:** Rep. Milburn moved that SB 491 **BE CONCURRED IN.**

02:27:41 **Motion:** Rep. Dutton moved that SB 491 **BE AMENDED.**

EXHIBIT (buh70a10)

Discussion:

02:28:29 Rep. Reinhart

02:29:30 Rep. Keane

02:29:36 Rep. Dutton

02:29:55 Rep. Keane

02:30:03 Rep. Dutton

02:30:57 Rep. Milburn

02:31:17 Rep. Mendenhall

02:31:35 Rep. Reinhart

02:32:37 Rep. Stahl

02:32:48 Bart Campbell
02:33:12 Rep. Furey
02:33:47 Rep. Augare

02:34:42 **Vote:** Motion failed 8-8 by roll call vote with Reps. Arntzen, Boggio, Dutton, Heinert, Klock, Mendenhall, Milburn, and Stahl voting aye. Rep. Windy Boy voted by proxy.

Discussion:

02:35:00 Rep. Mendenhall
02:36:45 Rep. Keane
02:37:48 Rep. Reinhart
02:39:17 Rep. Arntzen
02:39:43 Rep. Mendenhall
02:39:57 Bart Campbell

02:41:04 **Motion:** Rep. Thomas moved to **RECONSIDER THE MOTION TO AMEND** on SB 491.

Discussion:

02:41:31 Rep. Jones
02:42:55 Rep. Keane
02:43:41 Rep. Thomas
02:43:57 Mr. Campbell
02:44:34 Rep. Thomas
02:45:33 Rep. Augare
02:47:24 Rep. Dutton

02:49:25 **Vote:** Motion carried 11-5 by roll call vote with Reps. Keane, Windy Boy, Augare, Furey, and Van Dyk voting no. Reps. Windy Boy voted by proxy.

02:50:14 **Motion:** Rep. Thomas moved that SB 491 **BE CONCURRED IN AS AMENDED.**

Discussion:

02:50:24 Rep. Augare
02:51:07 Rep. Mendenhall

02:51:57 **Vote:** Motion carried unanimously by voice vote. Reps. Windy Boy and Van Dyk voted by proxy. Rep. Dutton will carry the bill.

Additional Exhibits:

Document pertaining to SB 451; Hearing 3/27/07

EXHIBIT (buh70a11)

ADJOURNMENT

02:52:23 Adjournment: 11:55 A.M.

REP. SCOTT MENDENHALL, Chairman

NANCY KRAFT, Secretary

SM/nk

Additional Exhibits:

EXHIBIT ([buh70aad.pdf](#))